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May 6, 2021

VIA ECF

Honorable Paul A. Engelmayer
United States District Court
Southern District of New York
40 Foley Square, Room 2201
New York, New York 10007

ECF Letter Application

**IN RE: APPLICATION OF JOSEPH BENKEL, ADV. FOR THE ASSETS OF THE
BANKRUPT, MR. ELIEZER FISHMAN I.D. NO. 030302657 FOR AN ORDER TO
TAKE DISCOVERY PURSUANT TO 28 U.S.C. § 1782 (1:20 MMC 00248 - PAE) –
REQUEST FOR ADJOURNMENT**

Dear Judge Engelmayer:

We write this letter in our capacity as legal counsel for the proposed intervenors (1) Mivne Real Estate (K.D.) Ltd.; (2) Darban Investments Corp.; (3) Mirland Development Corp.; (4) Muse Holdings; (5) Tova Fishman; and (6) Fishman North America Holdings, Inc. Pursuant to the Court order issued on April 15, 2021 (Docket Entry No. 41) and the Court hearing held on April 26, 2021, we have engaged in settlement discussions with Aurora Cassirer, Esq., from Troutman Pepper, counsel for petitioner Joseph Benkel, Adv., and Jason Nagi, Esq., from Offit Kurman, counsel for respondent, Levy Holm Pellegrino and Drath LLP. The Court requested that the parties update the Court before noon on Friday May 7, 2021 about the status of the settlement discussions (Docket Entry No. 47).

Counsel for the parties are actively negotiating the terms of a settlement agreement and require additional time to confer with their clients and try to finalize all the details. Accordingly, we respectfully request that the Court adjourn the oral argument/telephonic conference scheduled for this Monday May 10, 2021 at 5:00 PM until May 20, 2021, so the parties can finalize an agreement.

We have reached out to Ms. Cassirer and Mr. Nagi and they both have agreed to the adjournment that we are proposing. There have been no prior requests for an adjournment.

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Respectfully yours,

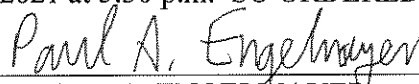
/s/ Daniel P. Rubel

Daniel P. Rubel

cc: Aurora Cassirer, Esq. (via ECF)
Jason Nagi, Esq. (via ECF)
Stuart A. Krause, Esq. (via Ecf)

4818-2317-9973, v. 5

The Court adjourns the conference in this case
currently scheduled for May 10, 2021 until May
21, 2021 at 5:30 p.m. SO ORDERED



PAUL A. ENGELMAYER
United States District Judge
5/6/2021